

MCC:JUM:jmm 2001R00403

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

-VS-

GARY RHINES, a/k/a,  
GARY ALLEN, a/k/a,  
DERRICK UPSHAW, a/k/a,  
ROBERT CAMBY

Crim. No. **4:CR01-0310**

Vio: 21 U.S.C. §§ 841(a)(1)  
& 841(b)(1)(A)(iii) and 861(a)(1)  
& (d)(1) & 18 U.S.C. § 2

**McCLURE**

**FILED**  
WILLIAMSPORT, PA

**I N D I C T M E N T**

SEP 27 2001

COUNT ONE

MARY E. D'ANDREA, CLERK  
Per lp DEPUTY CLERK

**THE GRAND JURY CHARGES:**

From on or about 1<sup>st</sup> day of January 1999 up to and including the date of the indictment, in Williamsport, Lycoming County, Pennsylvania, within the Middle District of Pennsylvania and within the jurisdiction of this Court, the defendant, **GARY RHINES, a/k/a, GARY ALLEN, a/k/a, DERRICK UPSHAW, a/k/a, ROBERT CAMBY**, did knowingly, intentionally, and unlawfully conspire, combine, confederate and agree with other persons known and unknown to the Grand Jury to possess with intent to distribute and to distribute in excess of fifty (50) grams of cocaine base (crack cocaine), a Schedule II controlled substance and did employ, hire, use, persuade, induce, entice, or coerce a person under the age of eighteen years of age to possess with intent to distribute and to distribute in excess of fifty (50) grams of cocaine base (crack

cocaine), a Schedule II controlled substance and did knowingly provide cocaine base (crack cocaine), a Schedule II controlled substance to a person under eighteen years of age, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(iii) and 861(a)(1) & (d)(1).

Said defendant, **GARY RHINES, a/k/a, GARY ALLEN, a/k/a, DERRICK UPSHAW, a/k/a, ROBERT CAMBY**, having previously been convicted of two or more felony drug offenses which have become final, to wit the following:

(A) Delivery of a controlled substance, cocaine and possession with intent to deliver a controlled substance, cocaine, in the Court of Common Pleas of Lycoming County, Pennsylvania by sentence on March 9, 1995 and

(B) Possession With Intent To Deliver a Controlled Substance in The Court Of Common Pleas of Lycoming County, Pennsylvania by sentence on February 18, 1999.

**MANNER AND MEANS**

During the course of the conspiracy and in furtherance thereof, the defendant and other co-conspirators possessed cocaine base (crack cocaine) with the intent to distribute and distributed cocaine base (crack cocaine), as stated in Counts Two and Three of this indictment, which counts are incorporated herein.

During the course of the conspiracy and in furtherance thereof, the defendant being over the age of eighteen years used

individuals under the age of eighteen years to distribute cocaine base (crack cocaine).

In violation of Title 21 United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES:**

On or about the 16<sup>th</sup> day of August 2001, in Williamsport, Lycoming County, Pennsylvania, within the Middle District of Pennsylvania and within the jurisdiction of this Court, the Defendant,

**GARY RHINES, a/k/a,  
GARY ALLEN, a/k/a,  
DERRICK UPSHAW, a/k/a,  
ROBERT CAMPBY,**

did knowingly, intentionally, and unlawfully possess within intent to distribute and did distribute in excess of fifty (50) grams of cocaine base (crack cocaine), a Schedule II controlled substance, and did aid and abet same.

Said defendant, **GARY RHINES, a/k/a, GARY ALLEN, a/k/a, DERRICK UPSHAW, a/k/a, ROBERT CAMBY**, having previously been convicted of two or more felony drug offenses which have become final, to wit the following:

(A) Delivery of a controlled substance, cocaine, and possession with intent to deliver a controlled substance, cocaine,

in the Court of Common Pleas of Lycoming County, Pennsylvania by sentence on March 9, 1995 and

(B) Possession With Intent To Deliver a Controlled Substance in The Court Of Common Pleas of Lycoming County, Pennsylvania by sentence on February 18, 1999.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(iii) and Title 18 United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES:**

On or about the 24<sup>th</sup> day of August 2001, in Williamsport, Lycoming County, Pennsylvania, within the Middle District of Pennsylvania and within the jurisdiction of this Court, the Defendant,

**GARY RHINES, a/k/a,  
GARY ALLEN, a/k/a,  
DERRICK UPSHAW, a/k/a,  
ROBERT CAMBY,**

being a person over eighteen years of age, did knowingly, intentionally, and unlawfully possess with intent to distribute and did distribute in excess of fifty (50) grams of cocaine-base (crack cocaine), a Schedule II controlled substance, and did employ, hire, use, persuade, induce, entice, or coerce a person under the age of eighteen years of age to possess with intent to distribute and to distribute in excess of fifty (50) grams of

cocaine base (crack cocaine), a Schedule II controlled substance, and did knowingly provide cocaine base (crack cocaine), a Schedule II controlled substance, to a person under eighteen years of age, and did aid and abet same.

Said defendant, **GARY RHINES, a/k/a, GARY ALLEN, a/k/a, DERRICK UPSHAW, a/k/a, ROBERT CAMBY**, having previously been convicted of two or more felony drug offenses, to wit, the following:

(A) Delivery of a controlled substance, cocaine, and possession with intent to deliver a controlled substance, cocaine, in the Court of Common Pleas of Lycoming County, Pennsylvania by sentence on March 9, 1995 and

(B) Possession With Intent To Deliver a Controlled Substance in The Court OF Common Pleas of Lycoming County, Pennsylvania by sentence on February 18, 1999.

In violation of Title 21 United States Code, Sections 841(a)(1) and 841(b)(1)(A)(iii) and 861(a)(1) & (d)(1), and Title 18 United States Code, Section 2.

A TRUE BILL

Robert J. Mosh  
FOREMAN

Date: 9/27/01

Martin C. Carlson  
MARTIN C. CARLSON  
United States Attorney